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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE EASTERN DISTRICT OF CALIFORNIA

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10 SCOTT N. JOHNSON,)
11 Plaintiff,) 02:08-cv-01549-GEB-KJM
12 v.)
13 SUKHCHARNJIT K. GREWAL,) ORDER TO SHOW CAUSE AND
14 individually and d/b/a Mountain) CONTINUING FINAL PRETRIAL
15 Mike's Pizza; Will S. Roxburgh,) CONFERENCE
16 individually and d/b/a Fleet)
17 Feet of Fair Oaks; Brockway Capital)
18 Corporation, individually and)
19 d/b/a Max Muscle,)
20 Defendants.)

21 The Order filed October 22, 2008, scheduled a final pretrial
22 conference in this case on April 19, 2010. That Order required the
23 parties to file a joint final pretrial statement "no later than seven
24 (7) days prior to the final pretrial conference." (October 22, 2008,
25 Order at 4.) No pretrial statement was filed.

26 Therefore, the final pretrial conference is reset to May 10,
27 2010, at 1:30 p.m. The parties shall file a joint final pretrial
28 conference statement seven (7) days prior to the final pretrial
conference.

Further, each party and counsel is **ORDERED TO SHOW CAUSE
(OSC), in a writing filed no later than 4:00 p.m. on April 22, 2010,**

1 why sanctions should not be imposed under Rule 16(f) of the Federal
2 Rules of Civil Procedure for failure to file a timely a final pretrial
3 statement. A party represented by counsel shall include in the
4 written response whether the party or counsel is at fault.¹ Further,
5 each party and counsel shall state in the response to the OSC whether
6 a hearing is requested on the OSC. If a hearing is requested, it will
7 be held at the time of the final pretrial conference.

8 IT IS SO ORDERED.

9 Dated: April 15, 2010

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13 GARLAND E. BURRELL, JR.
14 United States District Judge
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25 1 "If the fault lies with the attorney, that is where the
26 impact of sanction should be lodged. If the fault lies with the
27 clients, that is where the impact of the sanction should be
28 lodged." Matter of Sanction of Baker, 744 F.2d 1438, 1442 (10th
Cir. 1984), cert. denied, 471 U.S. 1014 (1985). Sometimes the
faults of attorneys, and their consequences, are visited upon
clients. In re Hill, 775 F.2d 1385, 1387 (9th Cir. 1985).